## SIEGEL HOPES TO SHOW FLAW IN INDICTMENT

Technical Defence Based on Contention Credit at Bank Was Unbroken.

HOLD "NEW" LOAN WAS A RENEWAL

Move Indicates Aim to Prove He Was Not Really Insolvent Then.

IFrom a staff Correspondent of The Tribuna.]

Genesco, N. Y., Nov. 12.—Out of the mass of detailed figures the defence succeeded in heaping upon those already confusing the minds of the jury to-day in their cross-examination of the People's witnesses one clear fact emerged, revealing Henry Siegel's defence.

It is that he will seek to win his acquittal by the technical defence that it cannot be shown beyond a reasonable doubt that a certain bookkeeping operation in the bank he is accused of robbing was completed before a certain book his content of the property of the property in the respect rests one big angle of the Siegel minds of the jury in this respect rests one big angle of the Siegel minds of the jury in this respect rests one big angle of the Siegel defence. It is where minutes in book keeping count.

robbing was completed before a certain other bookkeeping operation was begun.

The two bookkeeping operations had to do with the taking up an old note for \$25,000, which matured on April 29, 1918, and the discounting of a new note for the same amount on the same day. The defence is trying to prove that the second note was simply a renewal of the former. The prosecution is trying to prove that there was an absolute break between the two transactions.

The contention of the prosecution is that by means of faise financial statements Siegel led the National Bank of Commerce, of New York City, to open a line of credit for him, secured by his notes, and that against this credit he drew among others the sum of \$68405, the specific larceny he is charged with. It is contended he was really insolvent at the time and knew it, so that his note was worthless as security for the bank.

SAY SIEGEL WILL LOSE Committee, Back from Trial,

Holds Note Was Renewal.

The technical point toward which the

Fix Time of Loans.

He gave the list of numerous \$100,-000 loans discounted in serially matur-SUNDAY EVENING CONCERT

THE **DELLA ROBBIA** ROOM The VANDERBILT HOTEL

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Quality.

ing notes of \$25,000 each, and identised the note of January 7, 1918, the one which matured April 20, the same year, and on which the grand larceny is based. He said it was certified the first thing in the morning of April 29. He said he could not fix the definite hour or minute of its certification. But one thing he was sure of, and that was that there was an appreciable length of time before the new note for \$25,000 was discounted reopening the line of credit.

"How can you be sure you sent the old note down before you started the new one in the process of being discounted?" he was asked by Ross M. Lovell, of counsel for Siegel, in crossex examination.

"Expect SHAKE-UP

examination.

"Because it is part of our instructions—we have to do it," Mr. McDonsld replied; nor could Mr. Lovell get him to recede from this.

Later Mr. Stanchfield tried to get him to admir that there might be some doubt as to whether the bookkeeping operation which put the new note in force might not have taken place before the old note was put out of business. He asked:

ness. He saked:

"Was the clerk who certified the new note in your office or on the same floor with you so you could see him."

"No; I could not see him," said Mr. McDonald. "He was on the floor below."

Committee, Back from Trial,

Predict Against Banker.

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CAFE des BEAUX-ARTS

**NEW INDICTMENT** 

OF PRISON STAFF

Kings Prosecutor Probes Ex-Banker's Handling of Marble Man's Estate.

A new indictment for larceny against David A. Sullivan, who was sent to Sing Sing for wrecking the Union Bank of Brooklyn, will probably be handed down by the Kings County Grand Jury before the inquiry begun by District Attorney Cropsey ends. The evidence gathered so far by the Brooklyn authorities is said to show conclusively that Sullivan, while enjoying unusual liberties granted by ex-Warden McCormick, contrived to further defraud the creditors of the failed institution.

New and startling evidence, it is said, is being uncovered every day, and the prosecuting atterney is in no hurry to conclude the hearings so long as there remains a chance of disclossist there remains a chance of disclossistic that the number of the entrances of the Bronx County Court House Wednesday Price is about here.

The technical point toward which the defen. is leading is that the second note of April 29, 1913, continued the credit established by the old note, so that the \$884.05 was drawn against an unbroken line of credit and therefore, whether Siegel was insolvent or not, the \$884.05 was drawn against an unbroken line of credit and therefore, whether Siegel was insolvent or not, the \$884.05 was drawn against an unbroken line of credit and therefore, whether Siegel was insolvent or not, the \$884.05 would not have been any part of a larceny, since larceny cannot be committed against credit.

The following written of John B. Stanfield for the country of the matter of the matte ared to call up.
Mrs. David A. Sullivan and McCor- Grace Polhemus Dying-

OLICE JAILED ON **EXTORTION CHARGE** 

Detective and Patrolman Said to Have "Fixed" an Excise

times that he decided to call in the police, so he told the pair to call again. They came, the money was passed, the signal given, and then Detectives Griffin, Kelly and Vaughn came across the street and arrested their associates. Both prisoners declared that there was nothing "on them."

PLEADS FOR PRISONER Kind Hearted Detective Aids

Man Arrested for Begging. "I think this is on the level, your honor," said Detective John Campbell, of the Mendicant Squad, to Magistrate Marsh, in the men's night court last ni'th, after he had arraigned Ed. Holland, twenty-two years old, on a charge of begging. "He's told me his story. If you discharge him, I'll get him a bed and something to eat tonight, and I think I can get him a job on a railroad to-morrow."

Magistrate Marsh, telling Holland he ought to appreciate the kindness of the policeman, discharged the prisoner.

## **BRONX COURT BOMB REDS' CALLING CARD**

of Anarchists to

and the prosecuting attorney is in no hurry to conclude the hearings so long as there remains a chance of disclosing new facts.

Besides new Sullivan indictments a shake-up of the entire prison staff at Sing Sing is threatened before the District Attorney is through. Further evidence of Sullivan's juggling of the property of other persons to his own advantage has been uncovered by Louis Goldstein, assistant to Mr. Cropsey and attorney for the Union Bank depositors.

Sullivan was executor of the estate of Edward B. Tompkins, of New York, who had an extensive marble cutting husiness in Astoria, Long Island. At the lime of his death, in 1907, he was also a vice-president and director of the Union Bank, of which Sullivan was president. Sullivan was named as joint executor with Mrs. Tompkins, but the widow, Goldstein has determined, had little or nothing to do with the management of the estate.

At his death Tompkins's estate was reckoned at several hundred thousand dollars, yet when Sullivan hied an accounting, Goldstein has determined, a balance due the heirs of \$1411. Lawyers who were known to be intimate with Sullivan, it is said, drew large fees for "legal services" from the Tompkins estate. Several of the mortgages that were owned originally by the Tompkins estate and inter transferred to Sullivan or to his wife have come before the Kings County Grand Jury.

Witnesses before the grand jury yesterday included Miss Louise D. Burk-terday included M

prosecution for crimes. Swift justice will be meted out and the same fate accorded you that was to King Humbert and the Empress Josephine of Austria.

The trial of Antonio Duranzo, who was a king among the "slavers," is just about three weeks past, and Duranzo has begun his sentence of twenty-three years.

has begun his sentence of twentythree years.

It was found that there were not
two bombs. No bomb was set for City
Marshal John C. Hoefling.

Hoefling told a story of a bomb being
sent to him not long ago, but detectives sent to him not long ago, but detectives said yesterday it was a fake bombnothing but a shoebox full of sawdust. There was no trace of the bomb that
did the damage. Inspector Owen
Eagan, of the Bureau of Combustibles,
said it was not made of dynamice, but
was similar to the ones set off in St
Patrick's and St. Alphonsus's. Police
Commissioner Woods thought the explosion was a "protest."

## GIRL, BITTEN BY MAD CAT, DOOMED

widower Who Lost \$10,000
in Bank Drinks Poison.
Albert Fritz, of 249 Mapie st.
Brooklyn, whose savings of \$10,000
were invested in the defunct Siegel
bank, committed suicide yesteraja,
afternoon by drinking a solution supposed to dower fifty-five years old, and
lived with his sister, Mrs. Louise Formont, and her children.
Fritz was employed for years in the
engraving department of a large store,
and lost his place when the business
was closed, a few months ago.
There he called at the house of
dependency by bringing his troubles
constantly to mind.

SEES THAW COMING BACK,
Sleuth Confident Slayer Will
Be Returned to Asylum.

"I expect to see Harry Thaw at
Christmas dinner—in Matkenwan," was
the remark of Captain John Lanyan
as he departed for Washington last
night, in company with Frederick Kennedy, Departy Attorney General. The
object of the truy is the filing of the
William of the company with Frederick Kennedy by company and the secape, and is assisting femnedy by condent that Thaw will be
returned to the institution.

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Sullivan's apprehension is due to fear that something that has not already been discovered will be brought to light and incriminate others against whom prosecution has not already been instituted.

Licked the Foliabus Grace, offered to treat Morris, he said, but Mrs. Feinstein thought it wasn't necessary. She says, on the advice of Dr. Vosseler, she notified the Board of Health, but the said of the said of the said of the said. that was the last she heard of the matter. Last Sunday, when the Polhemus girl was complaining of pains in her throat, the Feinstein boy had a headache. His mother says she gave him some household remedy and the next day he was running around the next day he was running around the to the suit brought against him by

house as usual. It was also learned yesterday that William Murphy, of 286 16th st., Brooklyn, who tried to drive the cat Case for \$25.

Two members of the Police Department, one a detective attached to the Harlem branch, and the other a patroliman in Inspector Wakefield's downtown district, last night were occupying cells at Police Headquarters on charges of extortion. From one of them detectives took five \$5 bills, of which they had the numbers previously. The complainant says he gave the money to the The prisoners.

the numbers previously. The complainant says he gave the money to the other.

The prisoners are Detective Libario Gambaralla, who lives at 505 East 180th st. The Bronx, and Agidin Damico, of 110 East 127th st. Their accuser is Dominick Muccio, who runs a restaurant and cafe at 201 Grand st.

Muccio reported yesterday that two men who said they were state excise inspectors told him they had a warrant for him, but that the difficulty could be fixed for \$25. He has been blackmailed and black jacked so many.

JEALOUS, KILLS MAYOR

he has tendered to Dreicer & Co., who did not accept.

Who received the other pieces the defendant does not explain.

A few months ago Miss Jane Suther afternoon on the street by W. Hardison, a hardware dealer.

Mayor Lloyd was out for a walk with a five-year-old son. He was shot five times, the hardware dealer using an automatic gun. The attention that loyd is said to have shown Mrs. Hardison is believed to be the cause of blackmailed and black jacked so many. olackmailed and black jacked so many the killing.



It's just a step from the sublime to the ridiculous in evening dress.

Nothing more becoming than a well-cut, well-tailored dress suit-nothing worse than a poor one. We cut the identical fabrics

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used by the best custom tail-

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EVERY POCKETBOOK and you find the tickets in the box office, not in 44th St. Theatre W of B'way Ergs c .0. Mathress To-m'w & Wed., 2:20.

The Lilac Domino THE BATTLE CRY STATE

George W. Quintard, grandson and Com-George W. Quintard, grandson and herr of George W. Quintard, founder of the Quintard Iron Works, filed his at 8.—Sec 15 4.—Ala, Dealin, Matteauer, Martinelli, Amaio, Didur, Rossi, Cond. Toscanini, Malliman Plano Cond. answer yesterday in the Supreme Court Dreicer & Co., jewellers, to recover SYMPHONY more than \$50,000 for diamonds and other jewelry. Quintard's answer is that at the time he is alleged to have bought the jewelry he was too intoxicated to have his normal reason and

understanding.

Quintard also said that of all the pieces of jewelry with which the firm has charged him he has only a pearl scarf pin, a watch and chain. These has tendered to Dreicer & Co., who



yes, lammie. you should really cry much harder than that at such a thought.

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When He Bought Jewels.

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Opening Night, Mon., Nov. 16,

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